

CANONS AND CONSTITUTIONS ECCLESIASTICALL

Gathered and put in forme, for the Governement
of the CHURCH of SCOTLAND.

*Ratified and approved by His Majesties Royall War-
rant, and ordained to be observed by the Clergie,
and all others whom they concerne.*

PUBLISHED BY AUTHORITY.



ABERDENE,

Imprinted by EDWARD RABAN, dwelling
vpon the Market-Place, at the Armes
of the CITIE, 1636.

WITH ROYALL PRIVILEGE.



of the City of New York

Wm. H. Bond

The just Copie of His Majesties Letters Patents, for authorising the CANONS after following.

CHARLES R.



EE, out of Our Royall Care, for the Mayntenance of the present Estate and Government of the CHURCH of SCOTLAND, having diligentlie, and with great content, considered all the Canons and Constitutions after-following; and finding the same such, as Wee are perswaded, will bee profitable not onlie to Our Clergie, but to the whole Church of that Our Kingdome, if so they bee well-observed; Have for Us, Our Heyres, and lawfull Successours, of Our especiall Grace, certayne Knowledge, and meere Motion, given, and by these presents doe give Our Royall Assent, unto all the sayds Canons, Orders, and Constitutions, and to all and everie thing in them containned, as they are afterwards set downe.

And further: Wee doe not onlie by Our Prerogative Royall, and Supreme Authoritie, in Causes Ecclesiasticall, ratifie, and confirme, by these Our Letters Patents, the saydes Canons, Orders, and Constitutions, and all and everie thing in them

contayned; But lyke wyse, Wee command, by Our
Aunthonie Royall, and by these Our Letters Pa-
tents, the same to bee diligentlie observed, and execu-
ted, by all Our loving Subjectes of that Our King-
dome, both within the Provinces of Saint Andrews
and Glasgow, in all poynts where-in they doe or may
concerne, everie, or anie, of them, according to this
Our Will and Pleasure, beere-by expressed, and de-
clared. And for the better observation of them,
Wee straitlie charge, and comānd, all Arch-bishops,
Bishops, and all others that exercise anie Ecclesiasti-
call Jurisdiction, within that our Realme, to see and
procure, (so much as in them lyeth) all and everie of
the same Canons, Orders, and Constitutions, to be
in all poynts duellie observed; not sparing to execute the
Penalties in them severallie mentioned, upon anie
that shall willinglie and wilfullie breake, or neglect to
observe the same, as they tender the Honour of GOD,
the Peace of the Church, the Tranquillitie of the
Kingdome, and their Service and Duetic to Us their
King and Soveraygne. Given at Our Manor of
Greenwich, the 23 of May, 1635.





CHAPTER I.
Of the CHVRCH of SCOTLAND.



HE Religion of CHRIST teacheth vs, to honour Secular Princes, as the Vicegerents of GOD ypon earth; And therefore, as our due tie to the King's most excellent Majestie obliedgerh, It is decreed, and ordayned, That all Arch-Bishops, Bishops, and all other Ecclesiasticall persons; all Readers of Divinitie Lectures, all Masters, Principalls, Primars, Regents, Fellowes, and all who-so-ever haue Charge of Schools, Colledges, and Universities, shall saythfullie keepe and obserue, and (as much as in them lyeth) cause to be observed, and kept of others, all singular Lawes and Statutes made for the restoring to the CROWNE of this Kingdome, the auncient Iurisdiction over the Estate Ecclesiasticall, and abolishing all Forraygne Power, repugnant to the same. And farther-more, shall purelie, and sincerelie, to the vttermost of their wit and Learning, teach, make open, and declare in their Doctrine, Exhortations, Lectures, Instructions, & Conferences, at all fit tymes & occasions, That all vsurped & forraygne power (for-as-much as the same hath no establishment, nor ground by the Law of GOD) is, for most iust causes, taken away, and abolished; and that therefore, no manner of obedience or subjection within His Majesties Realms and Dominions, is due vnto any such for-

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raygne power; But that the King's power within His Realms of SCOTLAND, ENGLAND, IRELAND, and all other His Dominions & Countreys, is the highest power vnder GOD, to whom all men, as well inhabitants, as borne within the same, doe by GOD'S Law owe most loyaltie and obedience; afore & aboue al powers, and Potentates on earth.
2. Whosoever shal hereafter affirm, *That the king's M^{ty} hath not the same Authoritie in Causes Ecclesiasticall, that the godlie kings had amongst the Iewes, and Christian Emperours, in the Primitiue Church, or impeach, in anie part, his Royall Supremacie in Causes Ecclesiasticall;* let him bee excommunicated, and not restored, but onlie by the Arch-bishop of the Province, after his Repentance, and publicke Revocation of these his wicked Errours.

3. Whosoever shal hereafter affirme, *That the Doctrine of the Church of Scotland, the forme of worship contained in the booke of Comon Prayer, & administration of the Sacraments; The Rites & Ceremonies of the Church; The government of the Church vnder His M^{ty}, by Archbishops, Bishops, and others which beare office in the same; The forme of making and consecrating Archbishops, Bishops, Presbyters, & Deacons, as they are now established vnder His M^{ty} Authoritie, doe contayne in them anie thing repugnāt to the Scriptures, or are corrupt, superstitious, or unlawful in the service & worship of GOD;* let him be excommunicated, & not restored, but by the Bishop of the place, or Archb. of the Province, after his Repentance, and publicke Revocation of such his wicked Errours.

CHAP.

Canons Ecclesiasticall.

CHAP. II.

*Of Presbyters and Deacons, their nomination,
ordination, function and charge.*

FOrasmuch as the weyght of the Ministeriall Calling, doeth require such a measure of sufficiencie, as humane weaknesse can attayne vnto, and is often discredited by the ignorance, insufficiencie, and scandalous conversation of manie who vndertake the same; it is ordayned, That no person hereafter shall be admitted to that holie Function, who hath not bene bred in some Univerſitie or Colledge, & hath takē some degree there; and who shall verifie the same by the Subſcriptions & Seals of the Univerſitie, or Colledge, where hee receaved the degrees of Learning.

2. Neyther shall hee bee admitted to tryall, vnlesse hee bring a Certificat, eyther from the Colledge where hee was bred, or (if hee haue discontinued there) from the Presbyters or Ministers of that part of the Countrey, where he hath for the most part resided since his leaving of the Univerſitie; That hee hath beene exercised in some honest calling, or studie; and that hee is a man blamelesse in his lyfe, and conversation. Which Certificat shall be given vnder the hands and oathes of two or three Presbyters at least.

3. No person shall bee hereafter receaved into holie Orders, without due examination of his literature, by the Arch-bishop or Bishop of the Diocesse, or by their Chaplaynes, appoynted to that worke, who shall examine everie severall partie, as they find cause.

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4. The age and prudence of him that is to bee receaved, must lykewyse bee considered, as, That hee bee at least five and twentie yeares compleat, who is ordayned Presbyter, and when hee is ordayned Deacon, one and twentie years compleat, at least; and bee of a modest and settled carriage: so that his lightnesse, or indiscrete simplicitie, bring not his Calling, or Giftes, in contempt.

5. No Bishop shall hereafter admit anie person into holie Orders, who is not of his owne Diocese, except hee bring Letters dimissorie from the Bishop of the Diocese where hee lived, and a Certificat of his honest conversation.

6. Nor shall anie man bee admitted vnto holie Orders, vnlesse hee haue a particular place, and charge, where hee may vse and exerce his Function. And if anie Arch-bishop or Bishop doe otherwyse, hee shall keepe and mayntayne the person so admitted in all things necessarie, till hee bee provyded to some Ecclesiasticall Living. And if hee offend in this a second tyme, hee shall bee suspended from his Office.

7. That the greater reverence may bee carried to that holie Calling, all Ordinations shall bee made by imposition of handes, and with solemne prayers, openlie in the Church, after the morning Service ended, and before the Communion, in the forme and verie wordes praescribed in the Booke of Ordination, and in presence of two or three Presbyters of the Diocese, who shall laye on handes together with the Arch-bishop, or Bishop.

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8. All Ordinations shall bee made at foure tymes in the yeare; to wit, the first weekes of *March, Iune, September, and December.*

9. Everie Ecclesiasticall person, at his admission, shall take the oath of Supremacie, according to the forme præscribed in Parliament.

10. No person shall hereafter bee receaved into holic Orders, nor suffered to preach, catechise, reade Divinitie, minister the Sacramentes, or execute anie other Ecclesiasticall Function, vnlesse hee first subscribe, to bee obedient to the Canons of the Church. And if anie Bishop shall ordayne, admit, or licence anie person otherwyse, Hee shall bee suspended from giving of Orders and Licences to preach, for twelue monethes. And if anie Presbyter or Deacon, after hee hath subscribed, to liue obedient and conforme, shall revolt, hee shall bee suspended. And, in case hee doe not repent, conforme, and submit himselfe, within the space of three monethes, hee shall bee deposed from the Ministerie.

11. To avoyde the detestable sinne of *Simonie*, the Arch-bishop or Bishop, at his instituting into, or collating of anie Benefice, or Ecclesiasticall Living, shall minister to the intrant the Oath præscribed in the Booke of Ordination agaynst *Simonie*. And if the Bishop minister not the Oath, Hee shall bee thought guiltie of *Simonie* himselfe, and punished accordingly.

CHAP.

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CHAP.

CHAP. III.

Of Residence and Preaching.

THese manie inconveniences which result vpon the *Non-residence* of Ministers, require that some provision bee made there-*anent*: It is therefore ordayned, That everie Minister reside at the Church where hee serveth, or nigh therevnto. And if hee bee found absent, without licence of his Ordinarie, sixe Sundayes in the whole yeare, or doe not vse and exercyse his Office, being present, (the case of infirmitie being excepted) let him bee admonished. And if after two admonitions hee amend not, let him bee depriv'd of his Benefice.

2. No Stranger shall bee admitted to preach in anie Church, vnlesse hee bee licenced by the Bishop of the Diocesse.

3. Everie Presbyter shall eyther by himselfe, or by another person lawfullie called, reade, or cause *DIVINE SERVICE* to be done, according to the forme of the Book of *COMMON PRAYER*, before all Sermons.

4. Albeit the whole tyme of our lyfe bee but short, to bee bestowed in the service of God; yet seeing *H-E-E* tempereth that worke to our weaknesse, It is ordayned, That Preachers in their Sermons and Prayers, eschew tediousnesse; and by a succinct doing, leaue in the people an appetite for farther instruction, and a newe desire to devotion.

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5. No person of the Laicie, whatsoever gifts hee hath of Learning, Knowledge, or Holinesse, shall praesume to exerce the Office of a Presbyter or Deacon, eyther in part, or whole, vnlesse hee haue receaved Ordination, and bee licenced by his Ordinarie; vnder the payne of *Excommunication*.

6. It is the duetie of Presbyters, not onelie to stirre vp the affections of people by exhortation; but lykewyse to informe their judgement, by solide instruction, that they may bee acquainted with the groundes of their Profession: **THEREFORE** It is ordayned, That there bee catechizing everie Sunday in the after noone, except the Bishop dispence with it, as hee findeth cause. And because in the countrey people can not convenientlie meete but in the forenoone, the Presbyter shall everie other yeare expound the Catechisme to his people, vnder the payne of suspending him that shall bee found negligent herein.

7. If anie Preacher shall in the Pulpit particularlie, or of purpose, impugn, or confute the doctrine delivered by anie other Preacher in the same Church, or in anie Church nigh adjoyning, before hee hath acquainted the Bishop of the Diocesse therewith, and receaved order from Him, what to doe in that case; because vpon publicke dissenting and contradicting, there may growe much offence, and disquietnesse, to the people; The same beeing notified to the Bishop Hee shall not suffer the Preacher anie more to

serue in that place which hee hath once abused except hee saythfullie promise, to forbear all such matter of contention in the Church, untill order bee taken therein by the Bishop, who with all convenient speede shall so proceede, as publicke satisfaction may bee given to the Congregation where the offence was committed: Provyded, that if eyther of the parties offending doe appeale, hee shall not bee suffered to preach *Libe pendente*: Neyther shall anie Preacher vse bitter inuestiues agaynst his fellow-Presbyter or Preacher, or goe about indirec[t]lie to worke his disgrace with the people, vnder the paine of being censured, as a prophane of the Word.

8. No Presbyter or Preacher shall presume in Sermons, to speake agaynst His MAIESTIES Lawes, Statutes, Acts, or Ordinances: But if hee conceaue anie scruple or doubt, let him goe to his Ordinarie, and receaue instruction.

9. No man's name shall bee expressed in Pulpit, to his reproach, except the fault bee notorious; which notoriety is defined, if the person bee fugitiue, conuict by an Assise, excommunicate, or contumacious after citation. Nor yet shall anie man bee descrybed by anie other circumstances, than publicke vices, alwayes damnable.

10. It is manifest, that the superstition of former ages, is turned vnto great prophanenesse; and, that people, for the most part, are growne colde in doing anie good, esteeming, that good workes are not necessarie: Therefore shall all Presbyters, as their

as their Text giveth occasion, vge the necessitie of good works to their hearers.

11. When anie person is dangerouslie sicke, the Presbyter (having knowledge thereof) shall resort vnto him, or her, (if the disease bee not knowne, or probablie suspected to bee infectious) to instruct and comfort them in their disease, according to the Booke of Common Prayer; and farther too, as hee shall thinke most needfull, and convenient. And when anie is passing out of this lyfe, a Bell shall bee tolled; that the people hearing, may earnestlie pray for the dying person, as a fellow-member of CHRIST'S Bodie: and the Presbyter shall not then neglect to doe his last duetie.

12. That everie Presbyter may bee the better enabled to performe his duetie, and bee furnished throughlie with knowledge, hee shall bee carefull to get himselfe good Books, especiallie, and aboue the rest, the Bookes of holie Scriptures, and the Wrytinges of the Ancient Fathers, and Doctors of the Church: and hee shall studie diligentlie; not taking delight in wandering through the Countrey, nor medling in matters not pertinent to his Calling. Or, if anie doe otherwyse, and after admonition amende not, hee shall bee suspended from the Ministerie. And if hee continue in that evill course, hee shall bee deposed.

13. All Presbyters and Preachers shall moue the people to joyne with them in prayer, vsing some fewe and convenient wordes, and shall

alwayes conclude with the LORD'S
PRAYER.

CHAP. IV.

Of the conversation of Presbyters.

NO Ecclesiasticall person shall at anie tyme, other than for their honest necessities, resort to anie Tayernes, or Ale-houses: Neyther shall they giue themselves to anie servile labour, to drinking, and ryot, spending their tyme ydlic, by day, or by night, playing at Dyce, Cardes, or Tables, or anie vnlawfull Game: but at all tymes convenient, heare or reade somewhat of the holie Scriptures; or then exercyse themselves in some other studie, or employmentes; alwayes doing the thinges which appertayne to Honestie, and endeavouring to profite the Church of GOD: having alwayes in mynde, that they ought to excell all others in puritie of lyfe, and bee ensamples to the people, to liue well, and Christianlie; vnder payne of the Censures of the Church, to bee severallie inflicted, according to the qualitie of their offence.

2. The ancient Canons of the Church, did strictlie inhibite anie man to bee admitted to the Office of a BISHOP, Presbyter, or Deacon, that had not brought their Families to bee Christian. VVhereby all Ecclesiasticall persons are taught, to looke vnto their Families; and governe them in such sort, that they may bee (as it were) little Churches, in regard of the daylie
Exercyses

Exercyses of Religion, which are kept in them. Neyther shall they conforme themselves to the vanitie and superfluitie of the tyme; but in gravitie and frugalitie, keepe that comelinesse, which their Calling and Place doeth requyre: taking good heede that their Wyues bee modest, and sober, their Children trayned vp in pietie and verue, and their servauntes of a good and honest conversation.

3. To restrayne the vaging humour of some Church-men, so often censured in auncient Councils; It is ordayned, That no Presbyter shall leaue his Charge, to goe to Court, or other places foorth of the Countrey, without the licence of his Ordinarie, and that the businesse bee knowne to bee vrgent, and necessarie. Wherein if they shall transgresse, the Bishop of the Diocese, after tryall, shall inflict such censure, as his fault shall bee found to merite.

4. If anie Ecclesiasticall person shall goe out of his Diocese, to sute *Plantation* in another, or accept of anie place, hee shall bee recalled by his Ordinarie, and returned to his Charge. And if hee disobey, bee deposed.

5. It is observed, that sundrie Presbyters resort oftner, and stay longer in *EDINBURGH*, than their Charge can well permit; For vvhich cause it is ordayned, That speciall notice bee taken of such, and their names sent to their Ordinarie, that due censure may bee inflicted.

6. Because manie in holie Orders, vndoe themselves by Suretiship, It is ordayned, That
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no Presbyter shall heerefter become Suretie, or Cautioner, for anie person whatsoeuer, in ciuill Bondes and Courtraetes, vnder the payne of suspension, ever till he be relieved fro his cautionrie.

7. All Ecclesiasticall persons shall bee carefull to avoyde the companie wherein filthie songes, and vncleane gestures, are vsed; lest they incurre the suspicion of prophanenesse; vnder the payne of such censures, as the Ordinarie shall inflict.

8. Nor shall they giue themselves to the studie of vnlawfull Artes, and Scienees; nor consult with those who are infamous for *Magicke Sorcerie*, or *Divination*; vnder the payne of deprivation for the first, and degradation for the second offence.

9. If anie person shall enter into holie Orders, and afterwarde leaving the Exercyses of his Function, shall betake himselfe to ydlennesse, or anie common trade of lyfe, hee shall be counted an *Apostate*, depriued of his Benefice, if hee haue anie; and if hee haue none, shall bee vncapable of anie, for ever.

10. No Presbyter or Deacon, shall haunt the companie of *Heretickes*, *Schismatickes*, and *Excommunicate persons*; vnder the payne of suspension: vnlesse the Church hath appoynted them to conferre with such persons, for reducing them vnto the right way.

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CHAP. V.

Of Translation.

FOR restrayning the leuitie and inconstancie of some, who vpon everie light occasion seeke to bee translated, It is ordayned, That no translation bee granted to anie Ecclesiasticall person, vnlesse the same bee allowed by the Ordinarie. And if he hath delapidated the Rents, by setting a Leasse of the Tithes for a small Duetie, or by anie other Translation, to the præiudice of the Church, in that case, hee shall not haue libertie of Translation vnto a better Benefice; but bee compelled to vnderlye the povertie himselfe hath caused.

CHAP. VI.

Of the Sacramentes.

FOrasmuch as none haue ordinarie power, to administer the Sacraments, but such as are in holic Orders; It is ordayned, That no Lay person, who hath not receaved *Imposition of handes*, presume to take vpon him the ministracion of the same; vnder the payne of *Excommunication*.

2. No Presbyter shall refuse, or delay, to Christen anie Chyld presented by the Parentes, or anie one of them, assisted by two or three witnesses; although the same bee no ordinarie houre of Sermon. And, though all the people bee admonished, to obserue THE LORD'S DAY,

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for celebration of the Sacrament of *Baptisme*, so farre as they may, and to bring their Infantes, for that effect, vnto the Church; yet consideration must bee had of the Childrens infirmitie; and in that case the Presbyter shall not refuse to goe where the Infant remayneth, and baptise the same.

3. Seeing the SACRAMENT of the LORD'S SUPPER is instituted for confirmation of our Fayth, and encrease of Grace, and to bee a Testimonie of our holie Profession; It is ordayned, That the same shall bee administrated foure tymes euerie yeare, whereof the Feast of PASH shall alwayes bee one: Provyded, That euerie man or woman doe communicate with their owne Presbyter, once a yeare, at least.

4. And, for the better preparation of the people, the Presbyter shall bee diligent in examining of them; especiallie those of the younger sort; to see, that they holde the foundation of CHRISTIAN RELIGION, and bee not guiltie of anie grievous sinne vnrepented of. For which cause, hee shall enquire carefullie vnto their manners; lest anie that are scandalous, or notoriously wicked, bee admitted therevnto. And because strangers, not beeing of his Parochin, can not bee so well knowne to him, hee shall not receaue anie person of another Congregation, without a Certificate from the Presbyter thereof; bearing, That hee doeth communicate with him, and the rest of the Congregation, at other ordinarie tymes,

5. In the Ministration hee shall haue care, that the Elementes bee circumspectlie handled; and what is reserved thereof, bee distributed to the poorer sort, which receaue that day; to bee eaten and drunken of them before they goe out of the Church.

6. Superstition and Prophanenesse are both of them, Extremities to bee avoyded: As therefore the adoration of the Bread is condemned; so the vnreuerend communicating, and nor discerning of those holie Mysteries, must bee eschewed. THEREFORE it is ordayned, That the holie Sacrament of the Lord's Supper bee receaved with the bowing of the knee; to testifie the devotion and thankfulnesse of the Receauers, for that most excellent Gift.

CHAP. VII.

of Marriage.

NO Presbyter, or Deacon, vpon payne of Suspension, shall celebrate Marriage betwixt anie persons, whose Bannes are not proclaymed three severall LORD'S DAYES in the Parochins where they remayne. Nor shall hee celebrate the same in anie private place, but publickly in the Church, and that betwixt eyght and twelue houres in the fore-noone, without Licence of the Arch-bishop of the Province, or the Ordinarie.

2. Neyther shall it bee lawfull to joyne persons in marriage, beeing vnder the age of twen-

tie one yeares, without the consent of Parentes, if they bee living, or their Governonres, if their Parentes bee dead.

3. No persons shall marrie within the degrees prohibited by the Lawe of G O D. And all Mariages so contracted, and made, shall bee judged incestuous, and vnlawfull; and consequentlie dissolved as voyde from the beginning; and the parties so married, separated by lawe. And for the better information of all sortes, touching the degrees prohibited, it is expedient that a TABLE bee affixed publickly in everie Parish Church.

4. Because some necessarie causes occurre, vvherein Licence can not bee refused to inmarrie without asking of *Bannes*; It is ordayned, That no such Licence bee graunted, but to persons of good sort and qualitie, and vpon good suretie, and caution taken, that there is no impediment, and the persons not vnder the censure of the Church. Neyther shall the Licence bee granted by anie, but the Arch-Bishop of the Province, or Bishop of the Diocesse.

5. For-as-much as Causes Matrimoniall haue beene alwayes reputed amongst the weyghtiest, and therefore requyre great Caution, when they come to bee debated; IT IS straytly enjoyned, That in all actions of *Divorce*, and *Nullities*, good circumspection bee vsed, and the trueth sifted out, so farre as is possible, by deposition of vvitneses, and other lawfull proofes; and, that credite bee not given to the sole confession

session of parties, howbeit taken vpon oath.

6. In all Sentences of Separation, & *Thoro & Mensa*, there shall bee a Caution inserted, that the persons so separated, shall liue continentlie, and chastlie, and not contract marriage with anie person, during each others lyfe. And for the better observing thereof, the Sentence shall not bee pronounced, vntill the parties requyring the same haue given good and sufficient Caution, That they shall not transgresse the sayd Prohibition, vnder payne of deposing the Iudge who shall bee found to doe otherwyse.

CHAP. VIII.

of SYNODES.

FOR the better tryall of all disorders which may fall out amongst the Clergie, and the re-
 rayning of Unitie in Doctrine and Discipline;
 It is ordayned, That in everie Diocesse, Assemblies shall bee kept twyse a yeare, in such places, and at such tymes, as the Bishop shall appoynt. And if anie Presbyter absent himselfe, without a lawfull excuse signified at the tyme, hee shall bee suspended to the next Synode.

2. Because all Conventicles, and secret meetings of Church-men, haue ever beene justlie accounted hurtfull to the peace of the Church wherein they liue; It is ordayned, That no such Meetings bee kept by Presbyters, or anie other persons whatsoever, for consulting vpon matters

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Ecclesiasticall: And, That all matters of that kinde bee onlie handled in the lawfull Synodes helde by the Bishops, and established by authoritie. And if anie shall presume to keepe anie such Conventicles, or secret meetinges, for the expounding of Scripture, administering of Sacramentes, or consulting vpon causes Ecclesiasticall, the Ecclesiasticall person shall for the first fault, bee suspended; for the second, excommunicated; and, for the third, deprived. And a Lay-person so offending, shall, for the first fault, bee admonished; for the next, excommunicated; and then proceeded agaynst, by the Lawes of the Kingdome.

3. *NATIONALL SYNODES*, called by His Majesties Authoritie, for matters concerning the state of the Church in generall, shall bind all persons, as well absent, as present, to the obedience of the Decrees thereof in matters Ecclesiasticall. And if anie shall affirme or mayntayne, that a *NATIONALL SYNOD* so assembled, ought not to bee obeyed, hee shall bee excommunicated, till hee publicklye repent, and revoke his errour.

4. Who-so-ever shall heere-after affirme, that it is lawfull for anie Presbyter, or Lay-man, joynlie, or severallie, to make Rules, Orders, or Constitutions, in causes Ecclesiasticall; or to adde or detract from anie Rubriques, Articles, or other thinges nowe established, without the King's Authoritie, or His Successours, shall bee excommunicated, *ipso facto*; and not restored, till hee

till hee repent, and revoke such his bolde and schismaticall attemptes. But for-as-much as no reformation in Doctrine or Discipline, can bee made perfect at once in anie Church; THEREFORE it shall and may be lawfull, for the Church of *SCOTLAND*, at anie tyme, to make Remonstrance to His Majestie, or His Successoures, what they conceaue fit to bee taken in farther consideration, in, and concerning the Premisses. And if the King shall therevpon declare his liking, and approbation, then both Clergie and Lay shall yeeld their obedience, without incurring the Censure afore-sayde, or anie other. But it shall not bee lawfull for the Bishops themselves, in a *NATIONALL SYNOD*, or otherwyse, to alter anie Rubricke, Article, Canon Doctrinall, or Disciplinarie, what-so-ever, vnder the payne about mentioned, and His Majestie's farther displeasure.

CHAP. IX.

Of Meetinges, to Divine Service.

THE publicke Meetinges on the LORD'S DAY, and other tymes appoynted by the Church, beeing a speciall externall Meane to entertayne the COMMUNION OF SAYNCT; It is ordayned, That the same shall bee carefullie observed by all persons, of what condition soever. And that they shall vse all due reverence in tyme of *DIVINE SERVICE*, and of everie part thereof: For it is the Apostle's Rule, That

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all things bee done decently, and according to order: answerable to which Decencie and Order wee giue these directions following.

2. No man shall cover his head in the Church or Chappell, in tyme of *DIVINE SERVICE*, except hee have some infirmities: In which case hee may weare a Night-cap, or Coyse.

3. All persons present shall reverentlie kneele vpon their knees, when the *CONFESSION*, and other Prayers are read, and shall stand vp at the saying of the *CREED*.

4. None, cyther Man, Woman, or Chylde, of what calling so-ever, shall bee otherwyse busied in the Church, than in quyet attendance, to heare, marke, and vnderstand, what is read, preached, or ministred. Neyther shall they disturbe the *SERVICE*, or *SERMON*, by walking, or talking, or anie other wyse: nor depart out of the Church, during the tyme of *DIVINE SERVICE*, and *SERMON*, nor before the *BLESSING* pronounced.

5. Neyther shall anie ydle persons bee suffered to abyde, eyther in the Church, or Church-portch, or in the Church-yarde, during the tyme of *DIVINE SERVICE*, or *SERMON*: but shall bee caused, eyther to come in, or to depart.

6. For the manifesting of our Unitie in *FAYTH*, It is ordayned, That one forme of the worship of *GOD* in the Blessed *TRINITY*, bee vsed in all Churches of the Kingdome:
And

And that in all Meetinges for Divine Worship before *SERMON*, the whole *PRAYERS* according to the *LITURGIE*, bee deliberate-
lie and distinctlie read.

7. Neyther shall anie Presbyter, or Reader, bee permitted, to conceaue Prayers *Ex tempore*, or vse anie other forme in the publicke *LITURGIE*, or *SERVICE*, than is prescrib-
bed; vnder the payne of Deprivation from his Benefice, or Cure.

CHAP. X.

Of Schoole-Masters.

NO man shall teach eyther in publick Schoole, or private House, but such as shall bee allowed by the Arch-bishop of the Province, or Bishop of the Diocesse, vnder their Hand and Seale; and who shall bee found meete, as well for his dexteritie in teaching, as for his learning, and sober and honest conversation, to haue care of Children, and bringing vp of the Youth. But especiallie it is to bee regarded, That they bee of good Religion, and obedient to the Orders of the *CHVRCH*.

2. All Schoole-Masters shall teach in *Scottish* or *Latine*, (as Children are able to learne) the *CATECHISME*: And when anie *SERMON* is, they shall bring their Schollers to the Church; and there see they behaue themselues quyetlie, and soberlie; and, at tymes conuenient, examine them what they haue learned.

3. None shall bee permitted to teach in anie Colledge or Schoole, eyther as **PRIMAR**, **REGENT**, or **FELLOW**, except hee take first the Oath of Alleadgeance, and Supremacie. And having taken the Charge vpon them, they shall acquaint their Schollers, and trayne them vp, according to their capacitie, in the Groundes contayned in the Booke entituled, **DEUS ET REX.**

CHAP. XI.*Of Curates, and Readers.*

EVerie Bishop within his Diocesse, shall take tryall of the qualitie of the Curates and Readers, and permit none to reade, or conceaue publike Prayers in the Church, vnlesse hee bee in holie Orders, and lawfullie authorised by the Bishop.

CHAP. XII.*OF PRINTERS.*

FOR restrayning the Libertie of **PRINTING**, which is greatlie abused, in setting forth Bookes, Ballads, Satyricall Lybels, and other Pamphlets, repugnant to the Truth, or not agreeing with Honestie, and good Manners; **IT IS ORDAYNED**, That nothing heere-after bee imprinted, except the same bee seene, and allowed, by the Visitors appoynted to that purpose.

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CHAP. XIII.

*Of Christnings, Weddinges, and Burialls;
to bee registrated.*

IN everie Paroch-Church within the Kingdome, a Parchment Booke shall bee provided, at the Charge of the Parochin; vvhewherein shall bee written the daye and yeare of everie Christning, Wedding, and Buriall: vvhich shall bee kept, and layde vp in a sure Coffer, to bee provided also by the Parochin, and not taken forth by the Presbyter, or anie other, except when the Christnings, Weddinges, and Burialls are to bee recorded. And to the effect those bee not neglected, the Presbyter shall everie Lord's Day, after Prayers, or Sermon, take forth the sayde Booke, and wryte there-in the names of all persons Christned, with the names and Syrn Timeres of their Parentes: The names also of all persons married, and buried in that Paroch in the weeke preceeding; with the day and yeare of everie such Christning, Wedding, and Buriall. And everie yeare once, within one moneth after the first day of *Januarie*, transmit vnto the Bishop of the Diocesse, a true Copie of the names of all persons Christned, married, and buried, the yeare before within his Parochin; with the dayes and moneths of every such Christning, Marriage, & Burial, subscribed with his hand: to the end the same may bee preserved in the Bishops Register.

VVherein if hee shall bee found negligent; hee shall bee called, and censured, for the contempt of this necessarie Constitution.

CHAP. XIV.

Of publicke Fastes.

NOne in holie Orders shall without the Licence and direction of his Ordinarie, appoint or keepe anie solemne Fastes, or bee present thereat of purpose, vnder the payne of Suspension, or other punishment, which the Bishop shall thinke fit to inflict.

2. Neyther shall it bee lawfull to keepe, or indict, anie *FAST* vpon *SUNDAYES*, but onlie vpon Weeke-dayes; and such as shall bee appointed by *HIS MAJESTIE*.

CHAP. XV.

*Of decencie in Apparell, enjoyed so
persons Ecclesiasticall.*

TH^E *CHVRCH* of *CHRIST* being ever desirous that Her Clergie should bee had in outward reverence, and regard, for the worthinesse of their Calling, did thinke it fit, to haue them knowne to the people, by a prescribed and decent forme of Apparell: vvhose judgement wee following, doe ordayne, That all Arch-Bishops, Bishops, Deanes, Masters of Colledges, Doctors

Doctors in Divinitie, Presbyters, Deacons, Masters of Artes, and Bachelours of what Facultie soever, shall vse Apparell besecming their Degrees, and abstayne from all light and new-fangled Garmentes; eyther in colour, or fashion, no wayes besecming the gravitie of their persons and Places.

CHAP. XVI.

Of things pertayning to the Church.

IN everie Church, there shall bee provided, at the charge of the Parochin, a Bible, of the largest volume, with the Booke of Common Prayer, and Psalmes newlie authorised. The *BIBLE* shall bee of the Translation of King *JAMES*. And if anie Parochin bee vnprovided thereof, the same shall bee amended within two monethes, at most, after the publication of this Constitution.

2. For ministring the Sacrament of *BAPTISME*, a Font shall bee prepared, and placed some-what neare the entrie of the Church, as ancientlie it vsed to bee; with a Cloath of fine Linnen, which shall lykewyse bee kept to that vse allanerlie.

3. In lyke manner, a comelie and decent Table, for celebrating the holie *COMMUNION*, shall bee placed at the vpper end of the Chancell, or Church; which in tyme of Divine Service shall bee covered with a Carpet of decent Stuffe; and at the tyme of Ministration, with a whyte linnen cloath.

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4. Basons, Cuppes, or Chalice, of some pure Mettall, shall also bee provided, to bee set vpon the Communion Table; and reserved to that onelie vse.

5. A Pulpit lyke-wyse, decent and comelie, must bee provided, and placed in a convenient part of the Church, for Preaching the Word of G O D. And if anie question aryse, for placing the same, it shall bee determined by the Bishop of the Diocesse.

6. A Chest for Almes shall also bee provided, strong and sure; with a hole in the vpper part there-of; having three Keyes: one of which shall bee kept by the Presbyter, and the other two put into the custodie of two Church-Wardens. The Chest shall bee set and fastened in the most convenient place, to the intent the Parochiners may put in their Almes; vvhether-vnto the Presbyter shall exhort the people at all occasions; but especiallie at the making of their Willes and Testamentes. This Almes the Keepers of the Keyes shall eyther yearlie, quarterlie, or oftener, as neede requyreth, take out of the Chest, and distribute, in the presence of sixe chiefe Men of the Parish, to the most poore within the same.

7. All these thinges aforesayde beeing furnished, and provided, at the Charge of the Parochin, shall bee carefullie preserved by the Minister, and Church-wardens. The Church-man serving at the Church, is to see that it bee repaired sufficientlie: The Windowes well glassed, the Roofe

Roofe well covered, and the Floore paved, and kept even and playne; and all things ordered there-in in such sort, as best becometh *THE* *HOVSE OF GOD.*

8. The lyke care shall bee taken, that the Church-yardest be well fenced, and mayntayned; and that neyther Church, nor Church-yard, bee prophaned with *Playes, Feastes, Banquets, Temporall Courtes, Markets, Musters,* or the lyke.

9 That all things aboute-sayde appertayning to *CHVRCHES*, may bee kept in good order, and frame, the Arch-Deacon shall visite everie yeare once, *videlicet*, about *Michaelmas*; and the Bishop everie three yeares once. The Arch-Bishop also may *METROPOLITICALLIE* visite all the *DIOCESES* within his Province; so that it bee but once in his lyfe-tyme; and that at such tymes, as the Ordinaries shall thinke most convenient, for the good of the *CHVRCH*: And shall eyther of themselves rectifie such abuses as they finde, or call for ayde from the *HIGH COMMISSION*, if anie Man or Fault seeme too strong for them.

CHAP. XVII.

Of Tithes and Landes, dedicated to
CHVRCHES.

FOr-as-much as the Goods of the Church, of what-so-ever sort, are not committed to the disposing of persons Ecclesiasticall, but onelie to their dispensing; IT shall bee lawfull to anie
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Arch-Bishop, Bishop, Parson, Vicar, or anie Church-man, to set, alienate, or put away from the Church, and present vse there-of, his Benefice, Church-Rent, or anie part of the same, to anie person, or persons, whether Wyfe or Chyld, Friend or Stranger, mediatelie or immediatelie. And who shall bee proved to doe the contrarie, shall cyther bee compelled to restore the same, or bee deposed from his Office, Benefice, and Living.

2. It is agaynst all reason, that Ecclesiasticall Livings, should goe after the manner of Earthlie Inheritances; or that the Incumbentes should exhaust the same, by setting Leasses, which are not to runne out for a long tyme after their death; to the hurt and prejudice of their Successours: **THEREFORE IT IS** ordayned, That no Church-man shall set anie part of his Living and Rent, longer than his owne lyfe-tyme; vnder the paync of Deprivation, and Degradation.

3. And because it falleth out often, that Church-men, at the expyryng of Leasses, and other Rightes, made before their tyme, doe renew the same, for a little and ridiculous augmentation of the yearlie Duetie; **IT IS** ordayned, That no Church-man, from hence-foorth, shall set anie Leasse, or make anie Right of his Benefice and Living, but for a reasonable Duetie, answerable in proportion to that which is set. And if hee take anie Grassume, or Entrie therefore, to the hurt and prejudice of the Church, the same shall bee employed to the profite of the Church.

Church; and Successour; as hee will answer it before his Ordinarie.

4. No Bishop, or Presbyter, shall appropriate to his private vse, anie part of the Landes and Goods pertayning to the Church, or doted to pious and holie Uses. And if they doe in the contrarie, their Heyres, and Executors, shall beeholden to restore the same. And for eschewing such Questions, and freeing of the deceased Church-man from Scandall, IT IS thought expedient, That the Things belonging to the Church, bee knowne, and discerned from the thinges appertayning in proprietie to the Bishop and Presbyter: Lest after their death, thinges Ecclesiasticall, bee converted to private vses, or thinges belonging to themselves in proprietie, bee taken for thinges Ecclesiasticall.

5. Things dedicated to Holie and Religious Uses, and such other thinges as are offered willingly, or by Latter-Will left to anie pious Use, shall bee carefullie looked vnto by the Bishop and Presbyter, that they bee not lost, nor converted to anie other vse. And if anie man shall fraudfullie detayne thinges offered, or left by Latter-Will to the Poore, or anie pious Use, hee shall bee suspended from all benefites of the Church, as a Murderer of the Poore, and irreligious crosser of the good intentions of People.

6. If anie Presbyter shall with-holde, detayne, or destroy, or deliver into the handes of Competitors, anie Wrying, or Instrument what-so-ever, where-by the Donation of Ecclesiasticall

siaticall Goods, or their Right, or Possession, may bee instructed, or in the pursuit of acquiring them, shall privatelie transact with the partie, vvithout the knowledge and consent of the ORDINARIE, to the hurt and prejudice of the CHVRCH, in anie sort, hee shall refound the losses, which came by his deede, and bee deposed from his Function.

7. For the greater encowragement of people, to the workes of Pietie, and Charitie, If anie Bishop, or Church-man, shall depart this lyfe, leaving no Children, nor Successour of himselfe, hee shall leaue his Goods, or a great part of them, to the CHVRCH, and holie Uses. Or if hee haue Children, for whom hee must provide, yet according to his abilitie, hee shall leaue some Testimonie of his loue to the CHVRCH, and advancement of RELIGION.

8. If anie out of a devout mynde, haue dedicated anie part of his Substance to the CHVRCH, & eyther he or his Children fall thereafter into povertie, they shall bee supported by the CHVRCH, vnto the which they haue beneo-beneficiall, according to the Meanes receaved from them.

9. VVhere-as some haue taken too great libertie, in altering the Latter-will of those who haue mortified anie thing to the vse of Churches, Colledges, Schooles, or Hospitalls, which breedeth no small offence, and is a great stay to manie well-affected people, from founding or making anie such Dotations; IT IS OR-
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DAYNED, That heere-after there shall be no alteration made of the Benefactors Will: but that the same shall stand firme, and bee preserved to the vse for which it was first appoynted.

10. Everie Arch-Bishop, and Bishop, shall in their severall Diocesses, procure a true Note of all the Gleabes, Landes, Meadowes, Orchards, Houses, Implementes, and portion of Tithes, belonging to anie *CHVRCH*; and take care, that the same may bee preserved in their Registers, for a perpetuall memorie.

CHAP. XVIII.

Of Censures Ecclesiasticall.

NO ECCLESIASTICALL INDICATORIE, shall meddle with anie thing, but that which without all controversie is knowne to belong there-vnto; as Heresie, Schisme, Swearing, Not-resorting to the Church on Sundayes, and other solemne Dayes, approved by the Church, Non-Communicantes, Disturbers of Divine Service, Committers of Whoredome, Adulterie, Incest, Common Drunkenesse, and all other things what-so-ever, which ought to bee censured by Lawes Ecclesiasticall. And such as are tryed, and found notorious Offenders, in anie of these wayes, or the lyke, shall not bee admitted to the Communion, till they haue satisfied the Church, according to the Order appoynted.

2. The Censure of *EXCOMMUNICATION*, beeing the highest Censure which the Church can inflict, may not bee summarie, nor ordinarilie vsed; but after lawfull Citation, and due Admonitions preceeding.

3. Neyther shall anie Presbyter pronounce the Sentence of *EXCOMMUNICATION*, till hee haue showne the Proceffe to the *ORDINARIE*, and obtayned His Approbation vnder His Hand.

4. The names of persons excommunicated, shall bee delivered to the *ORDINARIE*: and no Satisfaction receaved, nor Absolution giuen, till Hee haue allowed the same.

5. Intimation of the Sentence pronounced, shall bee made in all the Churches adjacent; to the ende no person may pretende ignorance there-of. And if anie shall after intimation, resort to, or converse with anie who is excommunicate, (those excepted who are by naturall duetie bound to attende them, or who are licenced by the Bishop) they shall incurre the same Censure, and bee excommunicated themselves.

6. If anie person bee excommunicated in one Diocese, hee shall not bee absolved in another, vvithout lawfull Warrant from the *BISHOP*, vvho caused pronounce the Sentence. And the Contraveaner shall bee suspended from his Function, and the Absolution null; vntill hee who is excommunicated haue performed

formed his Satisfaction, in the place where hee was sentenced.

7. No Presbyter shall alter the receaved forme of publicke Satisfaction, or make commutation there-of, by paying pecuniall summes; vnder the payne of Suspension. And for the pecuniall summe exacted off the delinquent, the same shall bee employed to the reliefe of the Poore, and Strangers, and other pious Uses, by the advyse of the PRESBYTER, and Church-Wardens.

8. All Ecclesiasticall Iudges, shall haue care, to make their Proceedinges formall; and not denye the Extract of their Actes, and Processes, to such as are interessed there-in.

9. Al-be-it SACRAMENTALL CONFES-
SION and ABSOLVTION, haue beene in
some places verie much abused; Yet, if anie of
the people bee grieved in mynde, for anie delict,
or offence committed, and, for the vnburthening
of his Conscience, confesse the same to the BI-
SHOP, or PRESBYTER, they shall, as they are
bound, minister to the person so confessing, all
Spirituell Consolations, out of the WORD of
GOD; and shall not denye him the Benefite of
Absolution, after the manner which is prescri-
bed in THE VISITATION OF THE SICK;
if the partie showe himselfe truelie poenitent, and
humble desire to bee absolved. And hee shall
not make knowne, nor reueale what hath beene
opened to him in Confession at anie tyme, or to

anie person what-so-ever, except the cryme bee such, as by the Lawes of the Realme his owne lyfe may bee called in question, for concealing the same.

10. Sentence of *DEPRIVATION*, or *DEPOSITION* of a *PRESBYTER*, shall not bee pronounced by anie other, but the *ARCH-BISHOP*, or *BISHOP* of the Diocese; in the presence of three or foure graue *PRESBYTERS*, called there-vnto by the *BISHOP*.

11. If anie person in holie Orders, lawfullie suspended, or depofed, shall presume to exerce anie Ecclesiasticall Function, during the tyme of his Suspension, or after hee is degraded, let him bee excommunicated, and delivered to *THE LAT POWER*, as incorrigible.

12. If anie man shall finde himselfe injured by his *METROPOLITANE*, let him appeale to Delegates, or immediatelie to the *KING*.

13. If anie *BISHOP* shall giue Ordination to one notoriouslie ignorant, or scandalous, hee shall bee suspended from the power of Ordination for a yeare, and the person ordained, deprived.

14. If anie *BISHOP* shall giue Ordination to a Man that is not of his owne Diocese, concerning whome hee hath not receaved Letters Dimissorie from his owne *BISHOP*, let the

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the BISHOP bee suspended for a yeare, and the Ordained punished, as the ARCH-BISHOP shall thinke fit.

15. And since the residence of Bishops within their Diocesses, is no lesse necessarie, than is the residence of Presbyters within their Parochies; Who-so-ever shall remayne forth thereof, for the space of sixe monethes together, vnlesse hee bee employed by the KING, or by the CHURCH, for the first fault let him bee suspended from the Profites of his Bishopricke, for a whole yeare; the second tyme, for two whole yeares: and for the third fault, deprived of his Bishopricke.

16. In lyke manner, If hee doe not holde his Visitations due, and redresse such Abuses as are presented vnto him, so farre as hee is able, or bee negligent in conuening Hereticke of all sortes, so farre at least as hee is tyed by Law, let him bee suspended a yeare from his BISHOPRICKE, *toties quoties*, hee shall bee found to offende.

17. If anie Arch-Bishop, or Bishop, shall directlie, or indirectlie, bee proved to take Fee or Money, for admitting anie into Sacred Orders, let him bee deprived, as a *Simoniacke*, in the highest degree, and declared Not worthie of anie Charge in the CHURCH.

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CHAP. XIX.

Of Commissaries, and their Courts.

NO man heere-after shall bee admitted Commissarie, or Officiall, to exerceyse anie Spirituall Iurisdiction, except hee be of age xxx years at least; and one who is Master of Artes, or Bachelor of Lawes, & well skilled in them; as lyke wyse well-affected in Religion, of good and exemplarie lyfe, and obedient to the Orders of the CHURCH.

2. The Commissarie so admitted, shall answer for the Procurators in Court; and not suffer them to purloine Causes, or wrong the Clients, in anie sort. Nor shall hee admit any to procure, who are ignorant, or vnexpert in the Lawes of the Countrey, and Church.

3. Hee shall content himselfe, and not suffer Clerke, Fiscall, or other-members of Court, to exceede the rates of Fees allowed: And, to that effect, shall place a Table of them in the vsuall place of the Consistorie, where the Court is kept; that everie man whom it concerneth, may take a copie thereof. And if hee or they shall bee tryed to receaue aboue that which is allowed, the person so offending, shall for his first fault bee suspended from his Office a whole yeare; for the second, two yeares; and for the third, lose his Office.

4. It shal not be lawfull to anie Arch-Bishop, or Bishop,

Bishop, to place or appoint a Commissarie within his Diocese, or anie part there-of, vnlesse hee reside, and attende the Service. And if vpon anie necessarie occasion, hee bee with-drawne for a tyme, the Deputie shall bee placed, with the Arch-Bishop's or Bishop's consent: and not other-wyse.

Lastlie: In all this Booke of *Canons*, vvhere-so-ever there is no Penaltie expresse set downe, it is to bee vnderstood, That (so the Cryme or Offence bee proved) the Punishment shall bee arbitrarie, as the *ORDINARIE* shall thinke fittest.

F. I. N. I. S.

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